

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

INTERNATIONAL FREIGHT SERVICES,

Plaintiff,

v.

**GREEN WORLDWIDE SHIPPING, LLC, ET
AL.**

Defendants.

Case No. 21-cv-7069-YGR

**TEMPORARY RESTRAINING ORDER AND
ORDER TO SHOW CAUSE RE:
PRELIMINARY INJUNCTION**

Re: Dkt. No. 6

Plaintiff International Freight Services has filed its *ex parte* application seeking a temporary restraining order and order to show cause why a preliminary injunction should not be issued. Plaintiff's counsel's declaration indicates that he has given notice by electronic mail to defendants' counsel who have been communicating with counsel on defendants' behalf. (Dkt. No. 6-3.)

Having considered the complaint, plaintiff's application, the memorandum in support, the declarations of Yvonne Fazzino and Kenneth M. Weinfield, this Court **GRANTS** plaintiff's application as follows:

ORDER TO SHOW CAUSE

DEFENDANTS GREEN WORLDWIDE SHIPPING, LLC, MARY THOMPSON, FELICIA ADDISON, NATIVIDAD JUNI, AND DANIEL MCCARTHY ARE ORDERED TO SHOW CAUSE why a preliminary injunction should not be entered against you restraining and enjoining you, and those acting in concert with you, from:

1. Soliciting, contacting, or attempting to contact persons or entities which were customers of plaintiff at any time between 2015 and August 1, 2021;

2. from making any use or disclosure of any information obtained from plaintiff, including but not limited to the identifies of plaintiff's customers or the latter's key personnel, contact information, and particular needs;

3. from continuing to do business with any persons or entities which were customers of plaintiff at any time between 2015 and August 1, 2021;

4. communicating with any persons or entities that you are authorized to conduct business on behalf of any persons or entities that were customers of plaintiff at any time between 2015 and August 1, 2021; and

5. otherwise using or disclosing plaintiff's customer data.

AND FURTHER ORDERED TO SHOW CAUSE why a preliminary injunction should not be entered against you mandating that you, and those acting in concert with you, account for and return to plaintiff any and all of plaintiff's property, including its confidential, proprietary, and trade secret information, which may be contained in defendant's notebooks, documents, digital files, cloud storage, email, media and/or other materials.

TEMPORARY RESTRAINING ORDER¹

Pending hearing on the order to show cause, defendants Green Worldwide Shipping, LLC, Mary Thompson, Felicia Addison, Natividad Juni, and Daniel McCarthy and any person acting in concert with them are restrained and enjoined from:

1. Soliciting, contacting, or attempting to contact persons or entities which were customers of plaintiff at any time between 2015 and August 1, 2021;

2. Making any use or disclosure of any information obtained from plaintiff, including but not limited to the identifies of plaintiff's customers or the latter's key personnel, contact information, and particular needs;

3. Continuing to do business with any persons or entities which were customers of plaintiff at any time between 2015 and August 1, 2021;

¹ It is further Ordered that no bond need be posted by defendants in connection with this temporary restraining order but the Court may reconsider on a full record.

4. Communicating with any persons or entities that you are authorized to conduct business on behalf of any persons or entities that were customers of plaintiff at any time between 2015 and August 1, 2021; and

5. Otherwise using or disclosing plaintiff's customer data.

To the extent that any such customer contacts you, you may communicate to them that you must operate under this Temporary Restraining Order. You shall maintain a log of all such communications including the names of every individual participating in the communication, the means of communication, and the length of the communication. To the extent that such communications occur in writing, you shall maintain a copy of all such communications to be produced to plaintiff.

IT IS FURTHER ORDERED THAT:

1. Plaintiff shall serve this Temporary Restraining Order and Order to Show Cause, along with the summons and complaint, *ex parte* application, memorandum in support, and declarations of Yvonne Fazzino and Kenneth M. Weinfield on defendants no later than **NOON ON FRIDAY, OCTOBER 22, 2021** by personal service and by no later than 10:00 a.m. on October 21, 2021 by email. Proof of such service shall be filed no later than **9:00 A.M. ON MONDAY, OCTOBER 25, 2021.**
2. A hearing on the Order to Show Cause for Preliminary Injunction shall be held on **NOVEMBER 3, 2021, AT 1:00 P.M.** on the Court's Zoom videoconference platform. Notice for joining the videoconference will be posted on the docket in this matter and is available on the Court's website at www.cand.uscourts.gov/judges/gonzalez-rogers-yvonne-ygr/
3. The Court will entertain a modified schedule for briefing and hearing, and extension of the temporary restraining order, if presented by stipulation of the parties, or if briefing is expedited. Thus:
 - a. Any opposition to the Order to Show Cause shall be filed no later than **NOON ON THURSDAY, OCTOBER 28, 2021.** Any written reply shall be filed no later than **NOON ON MONDAY, NOVEMBER 1, 2021.**

b. To expedite a hearing, defendants may file an opposition prior to Thursday, October 28, 2021. If so filed, plaintiff shall file a response two business days thereafter. The Court will notify the parties of any advanced date of a hearing.

4. All times discussed in this Order refer to the Pacific time zone.

IT IS SO ORDERED.

Dated: October 20, 2021


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE